

BOARD OF LICENSE COMMISSIONERS

City Hall, 718 Main Street

Fitchburg MA 01420

(978) 345-9557

William A. Judge, Chairman

Robert A. Bourque

David F. Arsenault

MINUTES OF MEETING

The regular meeting of the Board of License Commissioners was held on September 17, 2008 in the Veterans Memorial Room, City Hall, Fitchburg, and called to order by Commissioner Robert Bourque at 6:00 PM. Commissioner David Arsenault was present. Chairman William Judge was absent.

I. REVIEW AND ACCEPTANCE OF MINUTES FROM THE PREVIOUS MEETING.

The minutes from the meeting held on September 3, 2008 were reviewed, approved and signed.

II. SUMMONS HEARING

Michelle Fife, Nu-Nu, Inc., 14, 16, 18 Putnam St. for failure to notify the Board of License Commissioners of New Officers/Directors for Nu-Nu, Inc.

No one was present to represent Nu-Nu, Inc. It was noted that the summons for this hearing which was sent to Michelle Fife by certified mail was returned unclaimed.

Hearing continued to October 6, 2008 2/0.

Upper Common, Inc. d/b/a The Boulder, 880 Main St. for Complaint of loud outside music.

Present were Ms. Betsy Dionne, complainant and Mr. Chris Bujold of The Boulder. Ms. Dionne stated she heard loud outside music on a Thursday night in mid-June around 11PM. She said she called the police but the noise did not decrease. Since that time she said she has not heard any loud music, just yelling and the sounds of motorcycles. Mr. Bujold said the noise Ms. Dionne heard was probably a juke box because he did not have outside music. He stated that he will not be pursuing a permit for regular outdoor entertainment. Commissioner Arsenault reminded Mr. Bujold that the outside door to the establishment must be closed at all times. Commissioner Bourque instructed Mr. Bujold to take down the outside speakers that are currently installed because he does not have a permit for outside music. Mr. Bujold and Ms. Dionne agreed that Mr. Bujold would give her his cell phone number so that she could call him personally with complaints for any further disturbances.

No Action taken 2/0.

Robert Ansin, for Cancellation of License if licensee ceases to conduct business, License #0394 00013, 216 Fairmount St., LLC.

Present were Attorney Charles Gelinas representing Mr. Ansin and Dr. Yu. Attorney Gelinas described the chronology of events leading up to the ABCC Disapproval of the transfer of the license from 216 Fairmount St., LLC to Fitchburg Main Street Mall, LLC. He informed the Board and Dr. Yu that, to the best of his knowledge, Mr. Ansin has filed all of the pertinent paperwork with the DOR that is necessary to complete the transfer. He also informed Dr. Yu of the paperwork that he still needs to file with the DOR. Dr. Yu stated that he would attend to these matters immediately. Attorney Gelinas submitted a letter to the Board requesting that the disapproved application be submitted again for reconsideration.

Hearing continued to October 20, 2008 at which time both Attorney Gelinas and Dr. Yu are to provide the Board with an update on the status of the application 2/0.

Kathleen Denmark, for Cancellation of License if licensee ceases to conduct business, License #0394 00007, Dempsey's Pub.

Present was Ms. Kathleen Denmark. She reported that Dempsey's Pub closed in November 2007. She has taken another job to pay the 10-year business loan they took out to establish the pub. They have been having difficulty finding funding to open another establishment because they already have the existing loan. They are investigating the formation of a family partnership to acquire the necessary funds. They are actively looking for a new location.

Hearing continued to October 20, 2008 2/0.

Jack Hoover, for Cancellation of License if licensee ceases to conduct business, License #0394 00049, 480 Water St.

No one was present. Hearing continued to October 20, 2008 2/0.

III. OTHER

- Taxi Driver applications
Two applications approved.

- Any other matter that may come before the Commission as time permits
The Commission received a telephone complaint that Café Destare was violating the Happy Hour regulations by advertising a \$5 martini special on a particular night of the week. The clerk was instructed to send a letter to Café Destare informing them that they cannot run special drink prices on particular days.

Mr. Joseph Brisebois was present to discuss his plans to have a BYOB policy at "Liz 'N Joe's Home Cooking" restaurant that he plans to open at 131 Westminster St. in the coming weeks. Approved 2/0.

The meeting adjourned at 7:00 PM.

Respectfully submitted,

Anna M. Farrell, Clerk
Approved:

NOT PRESENT
William A. Judge

Robert A. Bourque

David F. Arsenault